

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6306

BILL NUMBER: HB 1091

NOTE PREPARED: Jan 26, 2012

BILL AMENDED: Jan 26, 2012

SUBJECT: Agricultural Operations.

FIRST AUTHOR: Rep. Friend

FIRST SPONSOR:

BILL STATUS: 2nd Reading - 1st House

FUNDS AFFECTED: **GENERAL
DEDICATED
FEDERAL**

IMPACT: No Fiscal Impact

Summary of Legislation: (Amended) This bill provides that if a court finds that an agricultural operation that is the subject of a nuisance action was not a nuisance and that the nuisance action was frivolous, initiated maliciously, or groundless, the court shall award the expenses of litigation, including reasonable attorney's fees, to the defendant in the action. It provides that a choice of forum clause in a contract involving goods, services, or leases related to agricultural products, livestock, poultry, livestock products, poultry products, or an agricultural operation is not enforceable when the amount of damages being sought is less than \$25,000.

The bill also provides that a court may order a person who manufactures: (1) methamphetamine; or (2) marijuana; on property owned by another to pay certain liquidated damages as restitution to the property owner.

Effective Date: (Amended) July 1, 2011; July 1, 2012.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

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